

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RUSSELL TODD MATHIS,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 2:18-CV-417-WKW
)	[WO]
U.S. GOVERNMENT,)	
)	
Respondent.)	

ORDER

On April 26, 2018, the Magistrate Judge filed a Recommendation. (Doc. # 4.) On May 3, 2018, Petitioner Russell Todd Mathis filed objections. (Doc. # 5.) The court has conducted an independent and *de novo* review of those portions of the Recommendation to which objection is made. *See* 28 U.S.C. § 636(b).

In his objections, Petitioner argues that the public does not have a right to view old court records. On the contrary, “[t]he press and public enjoy a qualified First Amendment right of access to criminal trial proceedings.” *United States v. Ochoa-Vasquez*, 428 F.3d 1015, 1028 (11th Cir. 2005). Public access to criminal records and proceedings “enhances both the basic fairness of the criminal trial and the appearance of fairness so essential to public confidence in the system.” *Press-Enter. Co. v. Superior Court of California, Riverside Cty.*, 464 U.S. 501, 508 (1984).

Accordingly, and for the reasons stated in the Recommendation, the Magistrate Judge correctly determined that Petitioner is not entitled to a writ of *coram nobis* expunging his criminal records. *See also Hall v. Alabama*, No. 2:09-CV-342-MHT WO, 2010 WL 582076, at *9 (M.D. Ala. Feb. 18, 2010) (holding that reputational damage in relation to potential employers' background checks "does not provide a sufficient basis for expungement even if the court has [ancillary] jurisdiction" to expunge an arrest record).

Accordingly, it is ORDERED as follows:

1. Petitioner's objections (Doc. # 5) are OVERRULED.
2. The Recommendation (Doc. # 4) is ADOPTED.
3. The petition is DENIED.
4. This action is DISMISSED with prejudice.

Final judgment will be entered separately.

DONE this 21st day of May, 2018.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE